IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.3922 OF 2004

Anant Laxman Nikam).. Petitioner

Versus

Union of India and others).. Respondents

Petitioner in person.

Ms.Ranjana Todankar for Mr.S.S.Pakale for the Respondents.

CORAM: V.G. PALSHIKAR AND SMT.NISHITA MHATRE, JJ.

DATED: 3RD MAY 2005

P.C.:

. Considered the application dated 17th January 2005. Also considered the original orders passed by Division Benches of this Court from time to time. The Petitioner has been claiming grant of certain pensionary benefits based on the disability incurred by the Petitioner while in service of the Armed Forces. All aspects of the various complaints made at various points of time were considered by the appropriate Benches and appropriate orders were passed. Ultimately, by order of 8th October 2001, the Division Bench of this Court (of which Palshikar, J. was member), it was directed to the Union of India and concerned officers that all grievances and representations of the Petitioner be decided as

expeditiously as possible.

2. Thereafter the matter was considered by the Government of India in the Department of Defence and pension on compassionate grounds was granted to the Petitioner, which grant, according to the Petitioner, was not proper.

3. Thereafter the Petitioner made further representations which again were decided in accordance with law. Now, by the application dated 17th January 2005, the Petitioner prays that he is entitled to a deemed rank of Captain in the Indian Army and as such he should be awarded that rank and should be reinstated to that post with all consequential benefits. It is the claim of the Petitioner for different injuries or ailments, he is found disabled and the totality of disability is 100% and hence claim is made for such relief. In our opinion, the Petitioner is not entitled to any of such relief. The Application dated 17th January 2005 is, therefore, rejected.

4. Certified copy expedited.